

Court of Appeals, State of Michigan

ORDER

Rebecca Kik v John-Christopher Sbraccia

William C. Whitbeck
Presiding Judge

Docket No. 256419

Judges of the
Court of Appeals

LC No. 04-007213-NI

The Court orders that a special panel be convened pursuant to MCR 7.215(J) to resolve the conflict between this case and *Wesche v Mecosta Co Rd Comm*, 267 Mich App 274; 705 NW2d 136 (2005)

The Court further orders that Section III of the opinion released on November 15, 2005, which addresses the availability of damages for loss of consortium in a non-wrongful death claim brought pursuant to MCL 691.1405, is VACATED. MCR 7.215(J)(5).

Appellants may file a supplemental brief within 21 days of the Clerk's certification of this order. Appellees may file a supplemental brief within 21 days of service of appellants' brief. Nine copies must be filed with the Clerk of the Court.

Gage, J. did not participate.



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

DEC 9 - 2005
Date

Sandra Schultz Mengel
Chief Clerk